

TRUSTEE GUIDANCE

The Office of the Scottish Charity Regulator has published an "Easy Read" version of the Charity Trustee guidance in PDF format. The advice is for anyone who is a trustee of a charity in Scotland and tells charity trustees what the law says they must do or must not do. It is a very good

publication, and though written specifically for charities in Scotland is well worth viewing by all trustees in other parts of The United Kingdom. The link is:

<http://www.oscr.org.uk/PublicationItem.aspx?ID=1b4ac026-b2e7-42a6-beb4-7aef0e6a6379>

CHURCHES IN NORTHERN IRELAND

Following the passing of a Charities Act for Northern Ireland last year, a "Charity Commission" has now been established. The probable timetable for full Implementation of the Act is:

- September 2008 Royal Assent granted
- March 2009 First Commencement Order made
- June 2009 Appointment of Charity Commissioners
- June 2009 NI Charity Commission established

- June 2009 Consultation on public benefit
- August 2009 Second Commencement Order on meaning of charitable purpose and public benefit test
- September 2009 Third Commencement Order to introduce charities register
- April 2010 First charity registrations
- April 2011 First financial returns and reports.

ACAT NEWSLETTER is published by the Association of Church Accountants and Treasurers. Information contained in the newsletter is prepared carefully from the information available, but ACAT accepts no responsibility for its complete accuracy; members should always consult their professional or Church advisors. Contributions and letters for future publication, requests for information or assistance, or membership applications should be directed to: admin@acat.uk.com or to any of the officers below:

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ASSOCIATION OF CHURCH ACCOUNTANTS AND TREASURERS

President: The Bishop of London

Charity registration number: 1072733

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ACAT

ACAT NEWS

CONFERENCES

This year's Summer Conference and Annual General Meeting took place on Saturday 27th June in a new venue, The School of Pharmacy in the University of London. Nearly 70 delegates and Committee members participated in the slightly changed format for this year, in which all the presentations are made by ACAT trustees. The discussion groups gave opportunity for a lively exchange of views and discussion on common problems.

The final conference for this year will be in the Autumn at The Carrs Lane Centre in Birmingham, on Thursday 8 October. In line with the earlier conferences this year, the fee will be £15. An application form will be circulated with this Newsletter and a copy is on the website.

The presentations for the Summer Conference are also posted on the website at

<http://www.acat.uk.com/acat/page6.html>

CONTINUED GROWTH FOR ACAT

A recent press release by ACAT included the following:

"The Association of Church Accountants & Treasurers ("ACAT") will report a further substantial increase in membership at its Annual General Meeting in London on 27

June. In the 12 months to 31 March membership rose by 40% from 6,064 to 8,527."

The full text of the press release is reproduced on the website at <http://www.acat.uk.com/acat/page3.html>

THE HANDBOOK

The updates to the handbook announced in the last Newsletter have now all been dispatched by the

printer. If you have not received your copy please contact us.

GIFT AID

BACK GIFT AID CLAIMS TO BE REDUCED TO FOUR YEARS

Until 31st March 2010, Gift Aid claims can be made no later than six years after the end of the accounting period to which the claim relates. So, for donations made during an accounting period ended 31 March 2004, the final date on which a Gift Aid repayment claim can be made to HMRC Charities is 31 March 2010.

However, after 31 March 2010 claims must be made no later than **four years** after the end of the accounting period to which the claim relates. So, for donations made during an accounting period ended 31 December 2007, the final date on which a repayment claim can be made to HMRC Charities is 31 December 2011.

RETENTION OF WEEKLY “STEWARDSHIP” ENVELOPES

At the conference in Sheffield there was some confusion about how long weekly stewardship envelopes should be kept.

HMRC have now confirmed to us that a representative month should be kept, and that it should be the same

month each year, but that there is no requirement to keep the current year in full.

However, they acknowledge that many Church Authorities recommend current year retention as good working practice.

MINIMUM PAY RATES

Somewhat later than usual, the Government has announced the minimum wages rates that should apply from 1st October 2009. The new rates will be:

- Workers aged 22 and over - £5.80 (previously £5.73)
- Workers aged 18-21 - £4.83 (£4.77)
- Workers aged 16 and 17 - £3.57 (£3.53)

The adult rate will apply to 21 year-olds from October 2010

The daily value which can be set off for accommodation will be increased from £4.46 to £4.51.

Additionally, with effect from 1st October, service charges, tips, gratuities and cover charges paid to a worker through the employer's payroll will no longer count towards the national minimum wage.

SERVICES OF QUALIFIED ACCOUNTANTS

Section 28 of the 2006 Charities Act provides that independent examination of charities with income above the accruals threshold (£250,000) must be carried out by a qualified accountant (specified in the Act), but that such accountants are not required to be registered auditors.

However, it has been brought to our attention that in order to provide “accountancy services” to the public, or undertake independent examination of charity accounts, some professional bodies require that their members hold a practising certificate. “Accountancy services” include preparation of accounts, and provision of advice.

For example, the position for the Institute of Chartered Accountants in England and Wales (ICAEW) can be summarised as:

- Members, who are directors, trustees, treasurers, other officers or employees of a charity, may provide accountancy services to their charity without a practising certificate
- Individuals employed by a practice, may provide accountancy services or carry out independent examination as part of their work for that practice, whether or not they personally hold a practising certificate.

- Otherwise, members providing accountancy services to a charity, or carrying out an independent examination, do require a practising certificate if the charity's income exceeds the accruals threshold, or if payment of more than £500 (in the nature of expenses) is received.

The full requirements and more information is available on the ICAEW's website:

www.icaew.com/pc

The position for other professional bodies varies, though The Association of Chartered Certified Accountants appears to impose restrictions with substantially the same effect.

It is therefore important that, before inviting a qualified accountant to provide accountancy services, or to carry out an independent examination, the Church must ask the individual to check that they are permitted by their professional body to do so.

It is the accountant's responsibility to ensure they are abiding with their body's rules - not the Church's.

We are not aware of any adverse impact on a charity from appointing an independent examiner who then is found to have acted in breach of the rules of their professional body.